

## **REMARKS**

### **Summary of the Amendment**

Upon entry of the present Amendment, Claims 1, 3, 5, and 7 will have been amended and Claims 2, 4, 6, and 8 will have been canceled. Accordingly, Claims 1, 3, 5, and 7 remain pending in the present application. By the present Amendment and Remarks, Applicant submits that the rejections and objections have been overcome, and respectfully requests reconsideration of the outstanding Office Action and allowance of the present application.

### **Summary of the Office Action**

In the subject Office Action, the Examiner rejected claims 1, 3, 5-7 under 35 U.S.C. sections 101 and 102(b). Also, the Examiner indicated allowable subject matter for Claims 2, 4, 6, and 8.

### **Traversal of Rejection under 35 U.S.C. § 101**

The Examiner rejected Claims 5 and 6 under 35 USC § 101 as being drawn to functional descriptive material and not claimed as residing on a computer readable medium. As such, Applicant has amended Claim 5 so as to reside on a computer readable medium. Applicant has canceled Claim 6, so that the rejection is moot with respect to this claim.

Accordingly, Applicant respectfully requests that the Examiner withdraw the aforementioned rejection of Claims 5 and 6.

### **Allowable Subject Matter**

The Examiner objected to Claims 2, 4, 6, and 8 as being based upon a rejected base claim but would be allowable if re-written in independent form. As such, Applicant has amended Claim 1 to include the limitations of Claim 2, amended Claim 3 to include the limitations of Claim 4, amended Claim 5 to include the limitations of Claim 6, and amended Claim 7 to include the limitations of Claim 8. Further, Applicant has canceled Claims 2, 4, 6, and 8.

**Traversal of Rejection under 35 U.S.C. § 102(b)**

Applicant respectfully traverses the rejection of Claims 1, 3, 5, and 7 under 35 U.S.C. § 102(b). Applicant has amended Claims 1, 3, 5, and 7 so as to be allowable as provided above. Accordingly, Applicant requests that the rejection be withdrawn.

**Conclusion**

In view of the foregoing, it is submitted that none of the references of record anticipate or render obvious the Applicant's invention as recited in Claims 1, 3, 5, and 7. The applied reference of record has been discussed and distinguished, while the significant claimed features of the present invention have been pointed out.

Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

If any additional fee is required, please charge Deposit Account No. 502456.

Respectfully submitted,

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